



STATE OF WISCONSIN

Senate Journal

Ninety–Seventh Regular Session

11:00 A.M.

TUESDAY, September 20, 2005

The Senate met.

The Senate was called to order by Senator Alan Lasee.

The roll was called and the following Senators answered to their names:

Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 33.

Absent – None.

Absent with leave – None.

The Senate stood for the prayer which was offered by Pastor Alex Lindsay of Northland Woods Baptist Church.

The Senate remained standing and Senator Kapanke led the Senate in the pledge of allegiance to the flag of the United States of America.

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated Thursday, September 15, 2005.

The committee on **Judiciary, Corrections and Privacy** reports and recommends:

Assembly Bill 211

Relating to: collection of fees, fines, forfeitures, and surcharges by credit or debit card; setoffs against tax refunds; disclosing information obtained by the Department of Transportation to the Department of Revenue; and creation of a fine or forfeiture service fee and a payment plan fee.

Concurrence.

Ayes, 5 – Senators Zien, Roessler, Grothman, Taylor and Risser.

Noes, 0 – None.

Assembly Bill 214

Relating to: abuse of hazardous substances and providing penalties.

Concurrence.

Ayes, 5 – Senators Zien, Roessler, Grothman, Taylor and Risser.

Noes, 0 – None.

Senate Bill 132

Relating to: payment of litigation expenses of emergency medical services personnel, fire fighters, first responders, and law enforcement or correctional officers.

Adoption of Senate Substitute Amendment 2.

Ayes, 5 – Senators Zien, Roessler, Grothman, Taylor and Risser.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Zien, Roessler, Grothman, Taylor and Risser.

Noes, 0 – None.

Senate Bill 294

Relating to: defining certain uses of gamma–butyrolactone and 1,4–butanediol as controlled substances.

Passage.

Ayes, 5 – Senators Zien, Roessler, Grothman, Taylor and Risser.

Noes, 0 – None.

Senate Bill 315

Relating to: retention and testing of evidence that includes biological material, time limits for prosecuting a crime that is related to a sexual assault, law enforcement procedures for using an eyewitness to identify a person suspected of committing a crime, making audio or audio and visual recordings of custodial interrogations, limitations on admitting unrecorded statements into evidence in juvenile delinquency and criminal proceedings, and creating a grant program for digital recording equipment and training for digital recording of custodial interrogations.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Zien, Roessler, Grothman, Taylor and Risser.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Zien, Roessler, Grothman, Taylor and Risser.

Noes, 0 – None.

DAVID ZIEN
Chairperson

Pursuant to Senate Rule 17 (5), Representative J. Fitzgerald added as a cosponsor of **Senate Bill 293**.

Pursuant to Senate Rule 17 (5), Senator Carpenter added as a coauthor of **Senate Bill 312**.

Pursuant to Senate Rule 17 (5), Representative Kreibich added as a cosponsor of **Senate Bill 331**.

Senate Clearinghouse Rule 05–045

Relating to debt cancellation contracts and debt suspension agreements.

Submitted by Department of Financial Institutions.

Report received from Agency, September 14, 2005.

Referred to committee on **Housing and Financial Institutions**, September 15, 2005.

Senate Clearinghouse Rule 05–046

Relating to incidental powers activity authority parity with federal credit unions.

Submitted by Department of Financial Institutions.

Report received from Agency, September 14, 2005.

Referred to committee on **Housing and Financial Institutions**, September 15, 2005.

Senate amendment 1 to **Senate Joint Resolution 21** offered by Senator Breske.

The Chief Clerk makes the following entries dated Friday, September 16, 2005.

Read first time and referred:

Senate Bill 334

Relating to: driver licenses and identification cards for aliens.

By Senators Leibham, A. Lasee, Cowles, Lassa, Grothman, Olsen, Reynolds, Roessler, Kanavas and Lazich; cosponsored by Representatives Pettis, Vos, Kerkman, Suder, Hines, Vukmir, Nass, Kestell, Jeskewitz, Bies, Albers, Ott, Kreibich, Van Roy, Musser, Gunderson, Gard, Honadel, Vrakas, Hahn, McCormick, Freese, Gielow, Stone, F. Lasee, Lothian, Strachota, Ainsworth and Owens.

To committee on **Natural Resources and Transportation**.

Senate Bill 335

Relating to: the sale and distribution of elastic yo-yos and providing a penalty.

By Senators Lassa and Roessler; cosponsored by Representatives Vruwink, Berceau, Seidel and Hahn.

To committee on **Job Creation, Economic Development and Consumer Affairs**.

Senate Bill 336

Relating to: creating a nonrefundable individual income tax credit for amounts contributed to any section 529 college tuition program account.

By Senators S. Fitzgerald, Grothman, Harsdorf, A. Lasee, Reynolds, Stepp, Lassa and Lazich; cosponsored by Representatives Jensen, Gunderson, Bies, Ballweg, Albers, Hines, Gundrum, Gronemus, Krawczyk, Lothian, LeMahieu, McCormick, Petrowski, Rhoades, Townsend, Wood and Kreibich.

To joint committee on **Finance**.

Senate Bill 337

Relating to: extending the sales and use tax exemption for natural gas and electricity sold for residential use.

By Senators Carpenter, A. Lasee, Lassa, Hansen and Grothman; cosponsored by Representatives Musser, Zepnick, F. Lasee, Molepske, Black and Seidel.

To joint survey committee on **Tax Exemptions**.

The Chief Clerk makes the following entries dated Monday, September 19, 2005.

The committee on **Health, Children, Families, Aging and Long Term Care** reports and recommends:

COOPER, DAVID, of Slinger, as a member of the Occupational Therapists Affiliated Credentialing Board, to serve for the term ending July 1, 2007.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

FOLEY, LINDA, of Lake Mills, as a member of the Optometry Examining Board, to serve for the term ending July 1, 2009.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

FRIEDLAND, DR. DAVID, of Menomonee Falls, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2009.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

GILLIS, BETH, of Shawano, as a member of the Wisconsin Health and Educational Facilities Authority, to serve for the term ending June 30, 2012.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

HOLMQUIST, BRIAN, of Madison, as a member of the Occupational Therapists Affiliated Credentialing Board, to serve for the term ending July 1, 2009.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

LOWE, GRETCHEN, of Madison, as a member of the Board of Nursing, to serve for the term ending July 1, 2009.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

MOORE, MICHELE, of La Crosse, as a member of the Funeral Directors Examining Board, to serve for the term ending July 1, 2009.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

NASS, STEVEN, of Lake Mills, as a member of the Athletic Trainers Affiliated Credentialing Board, to serve for the term ending July 1, 2008.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

PELEGRIN, JODI, of New Franken, as a member of the Athletic Trainers Affiliated Credentialing Board to serve for the term ending July 1, 2008.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

RICE, CORLISS, of Milwaukee, as a member of the Occupational Therapists Affiliated Credentialing Board to serve for the term ending July 1, 2009.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

SMITH, BRIAN, of Ripon, as a member of the Funeral Directors Examining Board, to serve for the term ending July 1, 2008.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

TRACEY, ROBERT, of Holmen, as a member of the Rural Health Development Council, to serve for the term ending July 1, 2010.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

WOOD, MARGARET, of La Crosse, as a member of the Board of Nursing, to serve for the term ending July 1, 2007.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

ZELLMER, PETER, of Appleton, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2009.

Confirmation.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Assembly Bill 213

Relating to: termination of parental rights on the grounds of manufacturing methamphetamine with a child of the person whose parental rights are sought to be terminated present.

Concurrence.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Senate Bill 244

Relating to: granting a parent electronic communication with a child.

Adoption of Senate Amendment 1.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Senate Bill 284

Relating to: the investigation of child abuse or neglect reports in which a person who is not a caregiver of the child is suspected of the abuse or neglect of the child; defining the persons who are considered to be relatives of a child or juvenile for purposes of the Children's Code and the Juvenile Justice Code; extending the time for which a child may be held in custody when additional time is required to determine whether the filing of a petition initiating proceedings under the Children's Code is necessary; and the transfer of guardianship and custody of a child to a county department of human services or social services in a county other than Milwaukee County for the placement of a child for adoption in the home of the child's foster or treatment foster parents.

Introduction and adoption of Senate Substitute Amendment 1.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Senate Bill 305

Relating to: child safety restraint systems, safety belt use requirements in motor vehicles, and providing a penalty.

Adoption of Senate Amendment 1.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

CAROL ROESSLER
Chairperson

The committee on **Senate Organization** reports and recommends:

Senate Bill 218

Relating to: appealing a determination by the board of assessors, claiming angel and early stage investment tax credits, employers who must withhold state income taxes, benefits to persons serving in Operation Iraqi Freedom, eliminating the requirement that the Department of Revenue audit the records of contractors who perform emissions inspections, the liability of married persons filing a joint income tax return, the payment of the alternate fuel tax and the tobacco products tax, estate tax interest, qualified retirement systems, reducing nondelinquent taxes, extending the time for filing a tax reconciliation report, delivering tax-related documents and related payments, appeal of redetermination of earned income tax credits, granting rule-making authority, and providing a penalty.

Rereferred to the joint committee on **Finance** pursuant to Senate Rule 41 (1)(e):

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Withdrawn from the joint committee on **Finance** and placed on the calendar of 9–20–2005, pursuant to Senate Rule [41\(1\)\(e\)](#).

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Assembly Bill 193

Relating to: expenditure periods, and allowable project costs, for certain tax incremental districts in the city of Kenosha.

Rereferred to the joint committee on **Finance** pursuant to Senate Rule [41 \(1\)\(e\)](#):

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Withdrawn from the joint committee on **Finance** and placed on the calendar of 9–20–2005, pursuant to Senate Rule [41\(1\)\(e\)](#).

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Senate Bill 153

Relating to: allowing certain counties to create tax incremental financing districts.

Rereferred to the joint committee on **Finance** pursuant to Senate Rule [41 \(1\)\(e\)](#):

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Senate Bill 183

Relating to: increasing the maximum amount of grants to certain organizations that provide support to a manufacturing extension center and making an appropriation.

Rereferred to the joint committee on **Finance** pursuant to Senate Rule [41 \(1\)\(e\)](#):

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Senate Bill 305

Relating to: child safety restraint systems, safety belt use requirements in motor vehicles, and providing a penalty.

Rereferred to the joint committee on **Finance** pursuant to Senate Rule [41 \(1\)\(e\)](#):

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Assembly Bill 40

Relating to: forfeiture of money derived from a drug crime.

Rereferred to the joint committee on **Finance** pursuant to Senate Rule [41 \(1\)\(e\)](#):

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Assembly Bill 156

Relating to: allowing certain counties to create tax incremental financing districts.

Rereferred to the joint committee on **Finance** pursuant to Senate Rule [41 \(1\)\(e\)](#):

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Assembly Bill 498

Relating to: an income tax and franchise tax credit for property taxes paid on property owned by Goodwill Industries.

Rereferred to the joint committee on **Finance** pursuant to Senate Rule [41 \(1\)\(e\)](#):

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Dale Schultz
Chairperson

The committee on **Health, Children, Families, Aging and Long Term Care** reports and recommends:

Senate Clearinghouse Rule 05–043

Relating to recordkeeping by marriage and family therapists, professional counselors and social workers.

No action taken.

CAROL ROESSLER
Chairperson

The committee on **Housing and Financial Institutions** reports and recommends:

Senate Clearinghouse Rule 05–065

Relating to prohibited bases for discriminating in the extension of consumer credit.

No action taken.

CATHY STEPP
Chairperson

Senate substitute amendment 1 to **Senate Bill 164** offered by Senator Kanavas.

Senate amendment 2 to Senate amendment 1 to **Senate Bill 218** offered by Senator Roessler.

Senate amendment 2 to **Senate Bill 268** offered by Senator Brown.

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

Senate Joint Resolution 36

Relating to: the life and public service of Raymond Heizen.

By Senator Lassa; cosponsored by Representative Vruwink.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 338

Relating to: the prohibition against a public officer or employee having a private interest in a public contract.

By Senators Kanavas, Risser, Stepp, Roessler, Lassa, Miller and Wirch; cosponsored by Representatives Lamb, Berceau,

Kreibich, Kaufert, Jensen, Davis, Pettis, Underheim, M. Williams, Seidel, Hines, Sheridan, Turner, Black, Travis, Shilling and Towns.

To committee on **Job Creation, Economic Development and Consumer Affairs**.

Senate Bill 339

Relating to: providing notice of abstinence only education.

By Senators Taylor and Risser; cosponsored by Representatives Grigsby, Benedict, Berceau, Black, Boyle, Fields, Pocan, Pope–Roberts, Seidel, Sheridan, Sinicki, Travis, Wasserman and Young.

To committee on **Education**.

Senate Bill 340

Relating to: providing instruction in human growth and development.

By Senators Taylor, Erpenbach, Risser and Plale; cosponsored by Representatives Grigsby, Benedict, Berceau, Black, Fields, Kessler, Pocan, Seidel, Sheridan, Sinicki, Travis, Wasserman and Young.

To committee on **Education**.

Senate Bill 341

Relating to: voter registration for certain victims of domestic abuse, sexual assault, or stalking.

By Senators Roessler, Brown, Darling, Olsen, A. Lasee, Kanavas, Erpenbach and Taylor; cosponsored by Representatives Kreibich, Kaufert, Berceau, Hundertmark, Freese, Owens, Shilling, Albers, Parisi, Hines, Van Roy, Musser, Turner, Molepske, Lehman and Cullen.

To committee on **Health, Children, Families, Aging and Long Term Care**.

Senate Bill 342

Relating to: regulating substitutes for ozone–depleting refrigerants used in mobile air conditioners.

By Senators Grothman, Olsen, Stepp and Reynolds; cosponsored by Representatives LeMahieu, Kestell, Ainsworth, Towns, Albers, Owens, Hahn, Hines, Vos, Van Roy and F. Lasee.

To committee on **Energy, Utilities and Information Technology**.

Senate Bill 343

Relating to: required general fund statutory balance, required general fund structural balance, increasing nursing home Medical Assistance reimbursement, and making appropriations.

By Senators Jauch, Hansen, Robson, Taylor, Miller, Lassa, Erpenbach and Wirsch; cosponsored by Representatives Sherman, Cullen, Kreuser, Pope–Roberts, Zepnick, Black, Sinicki, Nelson, Van Akkeren, Young, Turner, Boyle, Sheridan, Seidel, Berceau, Grigsby, Hebl, Pocan, Travis, Molepske, Kessler, Benedict, Staskunas, Steinbrink, Richards, Hubler, Shilling, Schneider, Lehman, Parisi, Vruwink, Fields, Gronemus, Toles, Colon and Wasserman.

To committee on **Health, Children, Families, Aging and Long Term Care**.

PETITIONS AND COMMUNICATIONS

Senate Bill 42

Relating to: requiring certain identification in order to vote at a polling place or obtain an absentee ballot, verification of the addresses of electors, and the fee for an identification card issued by the Department of Transportation.

The question was: Shall **Senate Bill 42** pass notwithstanding the objections of the governor?

Senator Robson asked unanimous consent to withdraw **Senate Bill 249** from the committee on **Labor and Election Process Reform** and take it up at this time.

Senator Schultz objected.

The question was: Shall **Senate Bill 42** pass notwithstanding the objections of the governor?

The ayes and noes were required and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes – Senators Brown, Carpenter, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Plale, Reynolds, Roessler, Schultz, Stepp and Zien – 21.

Noes – Senators Breske, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Risser, Robson, Taylor and Wirsch – 12.

Absent or not voting – None.

Failed to pass notwithstanding the objections of the Governor.

Pursuant to Senate Rule 17 (5), Senator Breske added as a coauthor of **Assembly Bill 316**.

Pursuant to Senate Rule 17 (5), Senator Zien added as a coauthor of **Senate Bill 99**.

ADVICE AND CONSENT OF THE SENATE

Senator Schultz, with unanimous consent, asked that the reading be dispensed with and that all appointments, except that of Senator Alberta Darling, be considered en masse.

ADAMSKI, PAUL, of Stevens Point, as a member of the Savings Institutions Review Board, to serve for the term ending May 1, 2007.

ALLEN, OKIE, of Eau Claire, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2009.

DICKINSON, LORELI, of Oconto, as a member of the Nursing Home Administrator Examining Board, to serve for the term ending July 1, 2007.

FARMER, DOUGLAS L., of La Crosse, as a member of the Banking Review Board, to serve for the term ending May 1, 2007.

FERRALL, VICTOR, of Orfordville, as a member of the Wisconsin Historical Society Board of Curators, for the term ending July 1, 2008.

KINAST–PORTER, SUSAN, of Albany, as a member of the Nursing Home Administrator Examining Board to serve for the term ending July 1, 2009.

KORABIC, EDWARD, of Shorewood, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2009.

KOSHICK, JAMES, of New Berlin, as a member of the Chiropractic Examining Board, to serve for the term ending July 1, 2009.

LEPAK, KATIE, of Milwaukee, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2007.

NELSON, ELWYN, of Oshkosh, as a member of the Fox River Navigational System Authority to serve for the term ending July 1, 2007

QUACKENBUSH, WILLIAM, of Black River Falls, as a member of the Kickapoo Reserve Management Board, to serve for the term ending May 1, 2008.

SENTY, JAMES, of La Crosse, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 2011.

SHROPSHIRE, MARK, of Appleton, as a member of the Physical Therapists Affiliated Credentialing Board to serve for the term ending July 1, 2008.

VANGOETHEM, RICKY, of Green Bay, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors to serve for the term ending July 1, 2009.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

DARLING, ALBERTA, of River Hills, as a member of the College Savings Program Board, to serve for the term ending May 1, 2009.

Read.

Senator Darling, with unanimous consent, asked to be excused from voting on the appointment, pursuant to Senate Rule 73(1).

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes – Senators Breske, Brown, Carpenter, Coggs, Cowles, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 32.

Noes – None.

Absent or not voting – Senator Darling – 1.

Confirmed.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Bill 70

Relating to: evidence of lay and expert witnesses.

Read a second time.

Ordered to a third reading.

Senator Kedzie, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 70

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Roessler, Schultz, Stepp and Zien – 18.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Plale, Reynolds, Risser, Robson, Taylor and Wirch – 15.

Absent or not voting – None.

Passed.

Senate Bill 99

Relating to: the time period for service of a responsive pleading.

Read a second time.

Ordered to a third reading.

Senator Schultz, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 99

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Roessler, Schultz, Stepp and Zien – 18.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Plale, Reynolds, Risser, Robson, Taylor and Wirch – 15.

Absent or not voting – None.

Passed.

Senate Bill 119

Relating to: funding for identification cards provided without charge by the Department of Transportation and making appropriations.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 119?**

Adopted.

Ordered to a third reading.

Senator Schultz, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 119

Read a third time.

The ayes and noes were required and the vote was: ayes, 25; noes, 8; absent or not voting, 0; as follows:

Ayes – Senators Brown, Carpenter, Cowles, Darling, Decker, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Roessler, Schultz, Stepp and Zien – 25.

Noes – Senators Breske, Coggs, Erpenbach, Hansen, Jauch, Robson, Taylor and Wirch – 8.

Absent or not voting – None.

Passed.

Senate Bill 146

Relating to: authorizing a county to participate in a municipal revenue sharing agreement.

Read a second time.

Ordered to a third reading.

Senator Kedzie, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 146

Read a third time and passed.

Senate Bill 149

Relating to: membership of the Group Insurance Board.

Read a second time.

Ordered to a third reading.

Senator Kedzie, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 149

Read a third time and passed.

Senate Bill 218

Relating to: appealing a determination by the board of assessors, claiming angel and early stage investment tax credits, employers who must withhold state income taxes, benefits to persons serving in Operation Iraqi Freedom, eliminating the requirement that the Department of Revenue audit the records of contractors who perform emissions inspections, the liability of married persons filing a joint income tax return, the payment of the alternate fuel tax and the tobacco products tax, estate tax interest, qualified retirement systems, reducing nondelinquent taxes, extending the time for filing a tax reconciliation report, delivering tax-related documents and related payments, appeal of redetermination of earned income tax credits, granting rule-making authority, and providing a penalty.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate amendment 1 to **Senate Bill 218?**

Adopted.

The question was: Adoption of Senate amendment 2 to Senate amendment 1 to **Senate Bill 218?**

Adopted.

The question was: Adoption of Senate amendment 1 to **Senate Bill 218?**

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 218?**

Adopted.

Ordered to a third reading.

Senator Kedzie, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 218

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 33.

Noes – None.

Absent or not voting – None.

Passed.

Senate Bill 220

Relating to: the determination of prevailing wage rates and prevailing fringe benefit rates for workers employed on state or local projects of public works and granting rule-making authority.

Read a second time.

Senator Kedzie, with unanimous consent, asked that **Senate Bill 220** be referred to the committee on **Labor and Election Process Reform**.

Referred.

Senate Bill 266

Relating to: the prohibition against underage persons entering or being on any premises operating under an alcohol beverage license.

Read a second time.

Ordered to a third reading.

Senator Kedzie, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 266

Read a third time and passed.

**SECOND READING AND AMENDMENTS
OF ASSEMBLY JOINT RESOLUTIONS AND
ASSEMBLY BILLS**

Assembly Joint Resolution 47

Relating to: honoring the life and public service of Gaylord Nelson.

Senator Erpenbach, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 47**.

Concurred in by unanimous rising vote.

Assembly Bill 193

Relating to: expenditure periods, and allowable project costs, for certain tax incremental districts in the city of Kenosha.

Read a second time.

Ordered to a third reading.

Senator Kedzie, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 193

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 33.

Noes – None.

Absent or not voting – None.

Concurred in.

Senator Miller, with unanimous consent asked that the Journal reflect that he would like to have voted no on **Senate Bill 119**.

Senator Lassa, with unanimous consent, asked that the Journal reflect that she would like to have voted no on **Senate Bill 119**.

Assembly Bill 214

Relating to: abuse of hazardous substances and providing penalties.

Read a second time.

Ordered to a third reading.

Senator Schultz, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 214

Read a third time and concurred in.

Assembly Bill 316

Relating to: the plan period for county forest land use plans and eligibility for grants for county forest administrators and sustainable forestry.

Read a second time.

Ordered to a third reading.

Senator Schultz, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 316

Read a third time and concurred in.

Assembly Bill 501

Relating to: correction of information on a marriage certificate.

Read a second time.

Ordered to a third reading.

Senator Schultz, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 501

Read a third time and concurred in.

Senator Brown, with unanimous consent, asked that the Senate recess.

12:40 P.M.

RECESS

2:19 P.M.

The Senate reconvened.

Senator A. Lasee in the chair.

QUORUM CALL

The Chair noted the possible lack of a quorum.

The roll was called and the following Senators answered to their names:

Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 33.

Absent – None.

MOTIONS MAY BE OFFERED

Senator Robson asked unanimous consent that **Senate Bill 249** be withdrawn from the committee on **Labor and Election Process Reform** and taken up at this time.

Senator Schultz objected.

Senator Robson moved that **Senate Bill 249** be withdrawn from the committee on **Labor and Election Process Reform** and taken up at this time.

Senator Schultz moved that the motion to withdraw **Senate Bill 249** from the committee on **Labor and Election Process Reform** and taken up be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien – 19.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirch – 14.

Absent or not voting – None.

Motion tabled.

Senator Schultz, with unanimous consent, asked that **Senate Joint Resolution 36** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Senate Joint Resolution 36

Relating to: the life and public service of Raymond Heinzen.

Read.

Adopted by unanimous rising vote.

Senator Schultz, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 36**.

Senator Schultz, with unanimous consent, asked that all action be immediately messaged to the Assembly.

**ANNOUNCEMENTS, ADJOURNMENT
HONORS, AND REMARKS UNDER
SPECIAL PRIVILEGE**

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Kenosha Marine, Cpl. Adam Kisielewski, who lost his left arm at the shoulder in a bomb blast in Iraq. Senator Wirch would like to wish Cpl. Kisielewski, and his wife Carrie, a safe and speedy reunion.

Senator Kedzie, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his youngest child, Sean Kedzie, who will turn 15 on Thursday, September 22, and Zachary VanNatta, who will be 12 on Friday, September 23.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his daughter, Jessica, who is a Northwest Airlines employee in Minneapolis. Senator Jauch and his wife send their best wishes to their daughter on her 28th birthday.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Michael Saarinen, who

is also 28 today, and is the brother of his staff person, Katie Saarinen.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Italo Bensoni and his wife Carrie. Italo, a long-time veteran who lived in Hurley, Wisconsin, passed away on August 19. He served the United States of America not only during World War II, but continued to serve other veterans in Iron County and throughout the state as a member of the Veterans' Board. He served honorably.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Senate Chief Clerk's and Sergeant's staff who did a wonderful job putting together the 2005 Senate Reunion.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Norman B. Gill, father of State Auditor Janice Mueller, who passed away recently. Norman lived all his life in Amasa. He attended school there and was a member of the Class of 1938. A veteran of World War II, Norman served in the U.S. Navy in the Pacific Theatre and was a member of the Tufts-Rondon Post No. 2891 Veterans of Foreign Wars and the American Legion Post No. 87, Crystal Falls. Norm was a volunteer fireman with the Amasa Volunteer Fire Department where he served with distinction for 62 Years. Senator Roessler would like to offer Janice Mueller, and all of Norman's family her deepest condolences.

Senator Zien, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his daughter Amber's recent birthday.

Senator Zien, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his son Aryan's birthday, which is tomorrow.

ADJOURNMENT

Senator Schultz, with unanimous consent, asked that the Senate adjourn.

Adjourned.

2:37 P.M.

AMENDMENTS OFFERED

Senate substitute amendment 2 to **Senate Bill 182** offered by Senator Plale.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**
CORRECTIONS IN:**2005 ASSEMBLY BILL 222**

Prepared by the Legislative Reference Bureau
(September 15, 2005)

1. Page 11, line 10: delete "subsection" and substitute "paragraph".

CORRECTIONS IN:**2005 SENATE BILL 226**

Prepared by the Legislative Reference Bureau
(September 16, 2005)

1. Page 18, line 9: delete the material beginning with "under" and ending with "years" on line 10 and substitute "under 14 years".